PATENT Case No. 21085YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

L.A. CASTONGUAX

Serial No. 10/

10/509.584

Filed: September 29, 2004

For: BICYCLIC AMIDES

Art Unit: 16

art Unit: 1625

xaminer: --

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications for other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

OIPE	RELATED APPLICATION			
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE		
APR 0 2 2007				
· · · · · · · · · · · · · · · · · · ·				
A TRADEMARK		ļ		
		-		

If th	nis is inconvenient, additional copies will be submitted upon request.
	6. In accordance with 37 C.F.R. 1.97, (check one)
	the attached information is filed within three months of the filing date of the captioned case.
	the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
	the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
	the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
\checkmark	each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
	each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.
	no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: CATHERINE D. FITCH

_ For Applicant(s) Attorney

Reg. No. 36,502 MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732)594-4283

Substitute, for form 1449A/PTO	COMPLETE IF KNOWN			
INFORMATION DISCLOSURE	Application Number	10/509,584		
OVERATEMENT BY APPLICANT	Filing Date	September 29, 2004		
O SPATEMENT BY APPLICANT	First Named Inventor	L.A. Castonguay et al.		
APR 02 (use alimany sheets as necessary)	Group Art Unit	1625		
\ 1 , &	Examiner Name			
Terraneumen 1 of 2	Attorney Docket Number	21085YP		

U.S. PATENT DOCUMENTS							
Examiner Cite No.		U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
					<u> </u>		

	FOREIGN PATENT DOCUMENTS							
Examiner	Cite		Foreign Patent Document		Name of Patentee or Applicant	Date of Publication of		
Initials*	No.	Office	Number	Kind Code (if known)	of Cited Document	Cited Document MM-DD-YYYY		
			EP 0 736 529		F. Hoffman-LaRoche AG	10/09/1996		
			JP 11080124		Japan Tobacco Inc.	03/26/1999		
			EP 0 656 354		Sanofi	06/07/1995		

Examiner Signature	Date Considered		
·	 		

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Approved for use through 09/30/2006. OMB 0651-0031 SUBSTITUTE for PTO/SB/08A (07-06), Information Disclosure Statement by Applicant Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO		COMPLETE IF KNOWN						
	INFORMATION DISCLOSURE			Application Number	10/509,584			
		4 D	DI ICANIT	Filing Date	September 29, 2004			
	STATEMENT BY APPLICANT		First Named Inventor	L.A. Castonguay et al.				
				Group Art Unit	1625			
	(use as many sheets as necessary)			Examiner Name				
Sheet	2	of	2	Attorney Docket Number	21085YP			

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.				
	AA	Lack et al., J. Pharmacol. & Exper. Thera., Am. Soc. for Pharmacol. & Exper. Therapeutic, US, Vol. 139 (1963), pp. 248-258, "The intestinal action of benzmalecene: The relationship of its hypocholesterolemic effect"				

		· · · · · · · · · · · · · · · · · · ·	
Examiner		Date	
Signature		Considered	
Signature		0011010010	1

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.